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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ANDREW LOPEZ,)	CIVIL NO. 03-00011 DAE LEK
)	
Plaintiff,)	DEFENDANT'S MOTION FOR PARTIAL
)	SUMMARY JUDGMENT; CERTIFICATE
vs.)	OF SERVICE
)	
JOHN ASHCROFT, in his)	
capacity as the Attorney)	
General,)	
)	
Defendant.)	
_____)	

DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Alberto R. Gonzales, the Attorney General of the United States (substituting for former Attorney General John Ashcroft), by and through the undersigned United States Attorney, moves this Court for summary judgment on plaintiff's allegations that defendant's employees discriminated against plaintiff on the basis of his race, national origin, and creating a hostile work environment in retaliation for plaintiff's two formal EEO claims.

The grounds for this motion are set forth in the attached memorandum in support.

DATED: January 17, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Harry Yee

By _____
HARRY YEE
Assistant U.S. Attorney
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

Clayton C. Ikei CCIOffice@hawaii.rr.com
January 17, 2006

Served by First Class Mail:

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Attorneys for Plaintiff
Andrew Lopez

DATED: January 17, 2006, at Honolulu, Hawaii.

/s/ Jan Yoneda
